

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2019 FEB -4 AM 11:58
OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LISA KWAPNIOWSKI,

Defendant.

8:18CR360

INFORMATION
18 U.S.C. § 1343

The United States Attorney charges:

COUNT I
(WIRE FRAUD)

At all times material herein:

1. Children's Hospital and Medical Center ("Children's Hospital") is located in the District of Nebraska.

2. LISA KWAPNIOWSKI, defendant herein, resides in the District of Nebraska.

3. From on or about 2008, and continuing through on or about June 2018, in the District of Nebraska, and elsewhere, defendant did devise and intend to devise a scheme and artifice to defraud and for obtaining money by means of materially false and fraudulent pretenses, representations and promises, which scheme and artifice to defraud is more fully described as follows:

THE SCHEME AND ARTIFICE TO DEFRAUD

4. In approximately March 2000, defendant was hired by Children's Hospital and Medical Center ("Children's Hospital"), located in the District of Nebraska, as a pharmacy team lead. By 2003, defendant was promoted to Director of Pharmacy Services. Defendant's job duties included overseeing the management and overall operation of Children's Hospital's

pharmacy department. Defendant was assisted by two pharmacy managers and a purchasing technician in carrying out the day-to-day functions of Children's Hospital's pharmacy services.

5. In early 2012, defendant set up a business called RxSynergy. Soon after setting up RxSynergy, defendant knowingly began to submit fraudulent invoices from RxSynergy to Children's Hospital for payment. The invoices purported to be for pharmaceuticals and supplies, however, neither RxSynergy nor defendant ever provided any goods to Children's Hospital in relation to the invoices. A number of the RxSynergy invoices were for a drug called Broxcilam, which was not a real drug.

6. As part of the scheme, defendant opened a mailbox at Postal Zone, as well as a bank account at Financial Institution 1, in the name of RxSynergy. Defendant also obtained a tax ID number for RxSynergy. Defendant created fraudulent RxSynergy invoices on her computer at home, located in the District of Nebraska. Prior to mid-2016, defendant would carry the hard copy invoices to Children's Hospital, sign them as pharmacy director, indicating her approval for the expense, and route the invoices to the finance department in an inter-office envelope for payment. Defendant would eventually receive a check made payable to RxSynergy through the mail, at the mailbox she rented at the Postal Zone.

7. In mid-2016, Children's Hospital began processing its invoices through Financial Institution 2, which was located in the State of Missouri. The process for submitting and approving invoices became primarily electronic. Defendant would create RxSynergy invoices at her home, carry them to Children's Hospital, scan them, and electronically submit the invoices to Financial Institution 2 from the State of Nebraska to the State of Missouri. Soon thereafter, defendant would receive an electronic notification from Financial Institution 2 that an RxSynergy invoice was pending and needed her approval. Defendant would sign-in to

Children's Hospital's computer system and approve the invoice electronically. Approved invoices were processed by Financial Institution 2 and a check was mailed to RxSynergy. Defendant, through RxSynergy, fraudulently invoiced Children's Hospital at least 227 times between 2012 and 2018.

8. Between January 2012 and November 2013 defendant also submitted fraudulent invoices to Children's Hospital that appeared to come from PharMedium, a legitimate pharmaceutical vendor. Defendant created fraudulent invoices directed to Children's Hospital that appeared to come from PharMedium. Using a PayPal vendor's account defendant had created using the name Advantage RX, defendant would utilize PayPal's website to make a payment to the Advantage RX PayPal account, using a Children's Hospital corporate credit card. Defendant would submit to Children's Hospital the fraudulent PharMedium invoices along with an internal approval form, which would act as the justification for Children's Hospital to pay the outstanding corporate credit card bill. Children's Hospital would pay the credit card company directly. Defendant then transferred funds from the fraudulent Advantage RX PayPal account to her personal bank account.

9. Between February 2012 and March 2013 defendant also submitted a number of fraudulent Amazon.com shipping/order confirmations to Children's Hospital for reimbursement. Defendant ordered personal items from Amazon and created confirmations, which appeared to be for pharmacy supplies. Defendant submitted the fraudulent Amazon confirmations to Children's Hospital as justification for the corporate credit card charges to be paid.

10. In 2008 and 2010, defendant also submitted fraudulent invoices from other seemingly legitimate pharmaceutical suppliers. Defendant submitted reimbursement requests

utilizing invoices she created. Children's Hospital reimbursed defendant for the fraudulently submitted invoices.

11. During the course of defendant's scheme to defraud Children's Hospital, defendant sent, or caused to be sent, numerous wires, in the form of electronically submitted invoices to Financial Institution 2, in interstate commerce using a computer and the internet. The electronically submitted invoices defendant sent, or caused to be sent, were for the purpose of executing, used to advance, further, and carrying out the scheme to defraud Children's Hospital. Electronically submitted invoices sent, or caused to be sent, by defendant include, but are not limited to, the following:

RxSynergy Invoice Date	RxSynergy Invoice Number	RxSynergy Invoice Amount	RxSynergy "Product"	On or about date Invoice electronically submitted to Financial Institution 2
November 19, 2016	162112579	\$26,223	Broxcilam	November 19, 2016
July 24, 2017	17728566	\$23,471	Broxcilam	July 24, 2017
May 4, 2018	510183674	\$20,719	Broxcilam	May 4, 2018

LOSS CAUSED BY THE FRAUD

12. Proceeds obtained during the course of defendant's scheme to defraud Children's Hospital were used by defendant for personal expenses, including the purchase of personal property, vehicles, and real property. The total amount of funds obtained by defendant as a result of her scheme to defraud is \$4,622,234.

THE COUNT

13. For the purpose of executing the above-described scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and

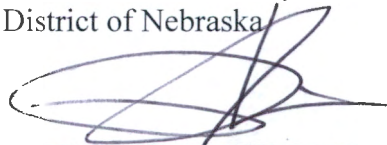
promises, defendant did knowingly cause to be transmitted by means of wire communications in interstate commerce, certain writings, signs and signals for the purpose of executing the scheme and artifice to defraud, in that, defendant did cause the transmission of electronically submitted invoices from Children's Hospital in the State of Nebraska to Financial Institution 2 in the State of Missouri as described below:

Count	On or About the Following Date	Wire Communication
I	May 4, 2018	Defendant sent, or caused to be sent, fraudulent invoice number 510183674 for the purchase of Broxcilam in the amount of \$20,719.

In violation of Title 18, United States Code, Sections 1343.

UNITED STATES OF AMERICA,
Plaintiff

JOSEPH P. KELLY
United States Attorney
District of Nebraska



By: DONALD J. KLEINE, #22669
Assistant U.S. Attorney

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.



DONALD J. KLEINE, #22669
Assistant U.S. Attorney